GOVERNMENT OF INDIA
ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:3392
ANSWERED ON:22.03.2017
Encryption Standard
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Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

Will the Minister of Electronics & Information Technology be pleased to state: -

(a) whether the Government is aware that the existing encryption standard of 40-bit for ISPs as mandated by law is outdated;
(b) if so, whether the Government has taken any steps to update it;
(c) if so, the details thereof;
(d) if not, the reasons therefor; and
(e) the status of the National Encryption Policy and the manner in which the Government is planning to address potential security concerns arising out of the same for the purposes of investigation?

Answer

(a), (b),(c) and (d): With the availability of high performance and powerful computing technology systems, including communication devices and tools, 40-bit encryption is no longer used in the encryption systems. The current trend towards stronger encryption standard is in response to the demands of the industry and users. Presently such encryption systems use minimum 128-bit or higher encryption standard for protection of information. Use of strong encryption with appropriate modes and methods of encryption has been recognized by the Government as means to securing data /transactions in electronic media and promotion of e-Governance and e-commerce. Information Technology Act 2000 enables the use of encryption for such purposes.

The Unified License Agreement dated 19.08.2013 under Internet Service Providers Guidelines has been modified in line with the technology trends in encryption technology and the use of encryption technology shall be governed by the Government Policy / Rules made under the Information Technology Act 2000.

(e): While Government respects the need for protection of information, critical infrastructure, increasing online digital transactions and citizen's privacy aspects, it also acknowledges the importance of addressing national security threats including the concerns of law enforcement during investigation. Taking into account national security concerns and technology trends, Government has initiated steps to revise the encryption policy in consultation with all the stakeholders, including industry, to arrive at a balanced and holistic policy. In this regard, the government has setup a Committee of Experts with the objective to explore possible approaches to protect the integrity of encryption technology, promote strong encryption, while also enabling lawful access to the plain text information corresponding to the encrypted information in order to ensure public safety and national security.
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